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REPORT
No. 159

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

FEBRUARY 26, 1951.—Committed to the Committee of the Whole House and ordered to be printed

Mr. WALTER, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. Con. Res. 7]

The Committee on the Judiciary, to whom was referred the resolution (S. Con. Res. 7), favoring the suspension of deportation of certain aliens, having considered the same, report favorably thereon without amendment and recommend that the resolution do pass.

PURPOSE OF THE CONCURRENT RESOLUTION

The purpose of the concurrent resolution is to record congressional approval in accordance with Public Law 863, of the Eightieth Congress, of suspension of deportation in certain cases in which the Attorney General has suspended deportation for more than 6 months.

GENERAL INFORMATION

Since 1940 and prior to July 1, 1948, the law (sec. 19 (c) of the Immigration Act of 1917, as amended) provided in substance that the Attorney General may suspend deportation and adjust the immigration status in the United States of certain deportable aliens. Under this provision of the law, aliens subject to deportation on the so-called technical charges may have their deportation suspended for 6 months if they are persons of good moral character and if their deportation would result in a serious economic detriment to a citizen of the United States or legally resident alien who is the spouse, parent, or minor child of such deportable aliens. This privilege does not run in favor of persons subject to deportation for the serious causes such as on the ground of being a political undesirable, a narcotic-law violator, a criminal, an immoral person, etc.

Since 1940, such suspensions of deportation accorded by the Attorney General were subject to review by the Congress. If within a

designated period of time the Congress did not pass a concurrent resolution stating in substance that the Congress did not favor the suspension of deportation, the suspension was final and the status of the alien involved was adjusted to that of a permanent resident.

Since July 1, 1948, under the provisions of Public Law 863, Eightieth Congress (62 Stat. 1206; 8 U. S. C. 155 (c)), affirmative congressional action in each individual case is required before the suspension of deportation granted by the Attorney General could become final and the status of the alien could be adjusted to that of a permanent resident.

Included in the concurrent resolution (S. Con. Res. 7) are 491 cases which were among a group of 503 cases referred to the Congress on January 16, 1950. Two of the 503 cases in the group referred to the Congress on January 16, 1950, have been approved by the Congress; 5 of the 503 cases in the group referred to the Congress on January 16, 1950, were withdrawn by the Attorney General; and 5 of the 503 cases in the group referred to the Congress on January 16, 1950, have been held by the committee for further study and investigation.

In each case which is recommended for approval, a check has been made to determine whether or not the alien (a) has met the requirements of the law, (b) is of good moral character, and (c) is possessed of strong equities which would warrant the suspension of deportation.

The committee, after consideration of all the facts in each case referred to in the concurrent resolution (S. Con. Res. 7), recommend that the concurrent resolution do pass.

The Committee on the Judiciary to which the concurrent resolution was referred on July 1, 1948, reported in substance that the Congress did not favor the suspension of deportation of certain aliens having examined the cases referred to the committee without amendment and recommended that the resolution do pass.

PURPOSE OF THE CONCURRENT RESOLUTION

The purpose of the concurrent resolution is to suspend temporarily the application of section 155 (c) of the Immigration and Nationality Act of 1940, as amended, in certain cases in which the Attorney General has suspended deportation for more than 6 months.

GENERAL INFORMATION

Since 1940 and prior to July 1, 1948, the law (sec. 155 (c) of the Immigration and Nationality Act of 1940, as amended) provided in substance that the Attorney General may suspend deportation and adjust the immigrant status of an alien in the United States of certain deportable aliens. Under this provision of the law, aliens subject to deportation on the specified technical grounds may have their deportation suspended for 6 months if they are persons of good moral character and if their deportation would result in serious economic detriment to a district, the United States or locally resident alien who is the spouse, parent, or other child of such deportable alien. This practice has not run to favor of persons who are not eligible for the same suspension as an immigrant, but an official and nondiscriminatory law states that a certain individual may be a permanent resident of the United States if such suspensions of deportation were made by the Attorney General were subject to review by the Congress. It is within